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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/430,675	10/28/1999	KRIS R LIVINGSTON	10991673-1	7615

22879 7590 05/16/2003

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INTELLECTUAL PROPERTY ADMINISTRATION  
FORT COLLINS, CO 80527-2400

EXAMINER

WALLERSON, MARK E

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 05/16/2003

5

Please find below and/or attached an Office communication concerning this application or proceeding.

1

# Office Action Summary

Application No.  
09/430,675

Applicant(s)  
Livingston

Examiner  
Mark Wallerson

Art Unit  
2622



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 6) ☐ Other:

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### **Part III DETAILED ACTION**

#### **Notice to Applicant(s)**

1. This application has been examined. Claims 1-20 are pending.

#### ***Information Disclosure Statement***

2. The references listed in the Information Disclosure Statements dated 10/23/1999 and 4/16/2001 have been considered by the Examiner and is attached to this Office Action.

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Krist et al (Krist) (U. S. 5,615,015).

With respect to claims 1, 10, 12, 14, 15, and 19 Krist discloses a method for selectively applying at least one of plural imaging related options (which reads on paper stock, size ect.) (Figure 12) to at least one of plural pages of data (which reads on specified pages) (figure 12) comprising selecting at least one of plural image related options to form selected options (figure

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12) and assigning the selected options to arbitrary (specified) pages of data (column 10, lines 20-34).

With regard to claims 2, 6, and 16, Krist discloses sending the plural pages to an imaging device and forming images on media corresponding to each of the plural pages (column 3, line 56 to column 4, line 10).

With respect to claim 3, Krist discloses executing instructions on a computer (52) to generate the plural pages before selecting imaging options (column 7, line 63 to column 8, line 6).

With regard to claim 4, Krist discloses executing instructions to assign options to the plural pages (column 10, lines 20-43).

With respect to claim 5, Krist discloses executing instructions to send the pages to the imaging device (column 3, line 56 to column 4, line 10).

With respect to claims 7, 13, and 17, Krist discloses sending the pages to the imaging device includes sending the pages to an imaging device capable of color imaging or monochrome imaging (which reads on color or black and white processing) (figure 12).

With regard to claims 8 and 18, Krist discloses using plural media sources (type) (figure 12) and assigning the options to the plural pages (column 10, lines 20-52).

With respect to claim 11, Krist discloses forming at least two images on each media (which reads on imposition) (figure 12).

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***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 9 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krist in view of Momose et al (Momose) (U. S. 6,301,013).

With respect to claims 9 and 20, Krist differs from claims 9 and 20 in that he does not clearly disclose assigning a watermark to the plural pages. Momose discloses a print control system wherein a watermark is assigned to a printing sheet set (column 3, lines 12-22).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Krist wherein a watermark is assigned to the plural pages. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Krist by the teaching of Momose in order to improve the security of the copies.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Wallerson whose telephone number is (703) 305-8581.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Any response to this action should be mailed to:

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Commissioner of Patents and Trademarks

Washington, DC 20231

or faxed to:

(703) 872-9314 (for formal communications intended for entry)

(for informal or draft communications, such as proposed amendments to be discussed at an  
interview; please label such communications "PROPOSED" or "DRAFT")

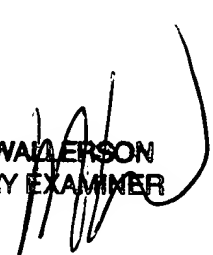
or hand-carried to:

Crystal Park Two

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Arlington, VA.

Sixth Floor (Receptionist)

  
MARK WALLERSON  
PRIMARY EXAMINER

MARK WALLERSON